

REMARKS

In the Office Action mailed on February 3, 2003, the Examiner objected to claim 40 due to a typographical error, which is corrected herein. The Examiner rejected claims 41-43 under 35 U.S.C. §112, second paragraph, as indefinite. We have addressed these rejections by canceling claims 42 and 43, and adding a new claim 44 upon which claim 41 now depends.

The Examiner appears to have rejected claims 35, 39 and 40 under 35 U.S.C. §102(b) as anticipated by Ismail et al., citing col. 7, lines 1-20. In fact, this passage merely notes the effect of tensile *or* compressive strain on carrier mobility, and therefore does not relate to reducing unwanted strain of one type by incorporating strain of the other type in accordance with the present invention. The claims as amended stress this distinction, and emphasize that the strain which is reduced arises from processing. Support for the amendment may be found at least at page 3, lines 3-6, and page 10, line 17 to page 11, line 3.

In light of the foregoing, we submit that all claims are now in condition for allowance. Please charge any fee occasioned by this paper to our Deposit Account No. 20-0531.

Respectfully submitted,



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